

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

CARLENE MIGHTY,)	
Independent Administrator of)	
THE ESTATE OF SHIRLEY)	
N. EDWARDS, Deceased and)	
CARLENE MIGHTY,)	Case No. 16 cv 10815
Individually,)	
)	
Plaintiffs,)	
)	
v.)	
)	
SAFEGUARD PROPERTIES,)	
LLC, a Delaware corporation,)	
Defendant.)	

INITIAL STATUS REPORT

Attorneys of Record:

For Plaintiff:

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For Defendant:

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A. Nature of the Case

Plaintiffs' claims arise due to the Defendant's alleged wrongful acts in connection with the providing of property preservation services to a property owned by decedent Shirley Edwards. The property was in mortgage default at the time of the alleged wrongful acts. Jurisdiction is based on 28 U.S.C. §1332. Diversity of citizenship exists because Plaintiffs are Illinois citizens and Defendant is a Delaware limited liability company with its principal place of business in Ohio, and the amount in controversy exceeds \$75,000 exclusive of interest and costs.

Plaintiffs filed their case in the Circuit Court of Cook County on October 3, 2016. In their Second Amended Complaint ("Complaint"), Plaintiffs allege that on or about October 7, 2013, Defendant or its unknown agents unknown agents, without legal authority, right or permission, entered the property, ransacked Plaintiff's personal property located at the property, stole numerous items of personal property and changed the locks on the property thereby wrongfully locking Plaintiffs out of the property. There are no counterclaims of record.

Plaintiffs seek actual damages of an amount in excess of \$100,000 plus punitive damages and costs.

B. Pending Motions and Case Plan

Defendant has pending a Motion to Dismiss Count III (Violation of Illinois Consumer Fraud and Deceptive Businesses Act) and Count IV (Fraud) pursuant to F.R.C.P. 12(b)(6).

Discovery shall include both written and oral, to be completed pursuant to the dates set forth below:

Rule 26a(1) Disclosures: February 24, 2017;

Written Discovery to be issued by February 24, 2017;

Written Discovery to be answered by April 24, 2017;

Fact discovery, including all depositions concluded by August 1, 2017;

Plaintiff's disclosure of experts to be made by September 15, 2017;

Plaintiff's experts' reports to be delivered by September 15, 2017;

Depositions of Plaintiff's experts by October 30, 2017;

Defendant's disclosure of experts by December 15, 2017;

Defendant's experts' reports to be delivered by December 15, 2017;

Depositions of defendant's experts by February 1, 2018;

Dispositive Motions, if any, filed by March 15, 2017.

All motions to amend pleadings and/or to join additional parties shall be filed no later than thirty (30) days after the deadline for the close of fact discovery. The Parties reserve the right to seek an additional period of fact discovery (and to extend all other applicable case deadlines) in the event that a motion to amend or to join is filed near the end of, or after, the fact discovery period, since that discovery deadline may not afford the Parties sufficient time for discovery related to any new matters raised in the motion.

Defendant has electronic stored information that will be converted to pdf format for production purposes.

C. Trial Status

A jury has been requested; the parties anticipate a 4 day trial. The parties would be ready to try this case on or after April 30, 2018.

D. Consent to Proceed Before a Magistrate Judge

The parties have not consented to proceed before a Magistrate Judge.

E. Settlement Status:

Settlement discussions have not yet been held. The parties would request that a settlement conference be scheduled.

/s/ Marc Mayer

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/s/ Adrian Mendoza

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